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IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

FX LUXURY LAS VEGAS I, LLC, A
NEVADA LIMITED LIABILITY
COMPANY,

Debtor.

Case No. BK-S-10-17015-BAM
Chapter 11

**NOTICE OF APPEARANCE AND
REQUEST FOR SPECIAL NOTICE AND
COPIES OF ALL PLANS AND
DISCLOSURE STATEMENTS [F.R.B.P.
9010(b), 2002 AND 3017(a)] WITH
CERTIFICATE OF SERVICE**

Date of Hearing: N/A
Time of Hearing: N/A

Anthony A. Zmaila, Augusta A. Massey and Peter J. Goatz of the law firm of Anthony A. Zmaila Limited, PLLC, attorneys for State Court Receiver, Larry L. Bertsch ("Receiver"), enter their appearance on the record in the above-entitled bankruptcy proceeding pursuant to Bankruptcy Rule 9010(b), and pursuant to Bankruptcy Rule 2002 and 3017(a) request special notice of all hearings, actions, contested matters, and adversary proceedings in this case, together with copies of all notices, pleadings, motions, responses, and other related materials that are issued or filed in connection with these proceedings by the Court, Debtor, or other parties in interest, including copies of all plans of reorganization and disclosure statements. All notices and copies in response to the foregoing, and,

1 pursuant to Bankruptcy Rule 2002, all notices required to be mailed to Claimant pursuant to
2 Bankruptcy Rule 2002, should be directed to:

3 Anthony A. Zmaila
4 Augusta A. Massey
5 Peter J. Goatz
6 265 East Warm Springs Rd., #100
7 Las Vegas, Nevada 89119

8 Neither this paper nor any subsequent appearance, pleading, claim, proof of claim, document,
9 suit, motion, nor any other writing or conduct, shall (i) expressly or impliedly designate the
10 undersigned as agent for service of process on Claimant, or (ii) constitute a waiver of any of the
11 following rights of the Claimant:

12 (a) Right to have any and all final orders in any and all non-core matters entered only
13 after de novo review by United States District Court Judge;

14 (b) Right to trial by jury in any proceeding as to any and all matters so triable herein,
15 whether or not the same be designated legal or private rights, or in any case, controversy or
16 proceeding relating hereto, notwithstanding the designation val non of such matters as "core
17 proceedings" pursuant to 28 U.S.C. § 157(b)(2)(H), and whether such jury trial right is pursuant to
18 statute or the United States Constitution;

19 (c) Right to have the reference of this matter withdrawn by the United States District
20 Court in any matter or proceeding subject only to mandatory or discretionary withdrawal; and

21 (d) Other rights, claims, actions, defenses, setoffs, recoupments, or other matters to
22 which this party is entitled under any agreements or at law or in equity or under the United States
23 Constitution.
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1 All of the above rights are expressly reserved and preserved unto Claimant without exception
2 and with no purpose of confessing or conceding jurisdiction in any way by this filing or by any other
3 participation in the above-captioned case and ancillary proceedings.

4 DATED this 22 day of April, 2010.

5 **ANTHONY A. ZMAILA LIMITED PLLC**

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8 Anthony A. Zmaila (NV Bar No. 2319)
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Attorneys for State Court Receiver, Larry L. Bertsch

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Anthony A. Zmaila Limited PLLC, and that on the 22nd day of April, 2010, I caused to be served a true and correct copy of NOTICE OF APPEARANCE AND REQUEST FOR SPECIAL NOTICE AND COPIES OF ALL PLANS AND DISCLOSURE STATEMENTS [F.R.B.P. 9010(b), 2002 AND 3017(a)] in the following manner:

☒ (ELECTRONIC SERVICE) Under Administrative Order 02-1 (Rev. 8-31-04) of the United States Bankruptcy Court for the District of Nevada, the above-referenced document was electronically filed on the date hereof and served through the Notice of Electronic Filing automatically generated by that Court's facilities.

☐ (UNITED STATES MAIL) By depositing a copy of the above-referenced document for mailing in the United States Mail, first class postage prepaid, at Las Vegas, Nevada, to the parties listed on the attached service list, at their last known mailing addresses, on the date above written.

☐ (OVERNIGHT COURIER) By depositing a true and correct copy of the above-referenced document for overnight delivery via Federal Express, at a collection facility maintained for such purpose, addressed to the parties on the attached service list, at their last known delivery address, on the date above written.

☐ (FACSIMILE) That I served a true and correct copy of the above-referenced document via facsimile, to the facsimile numbers indicated, to those persons listed on the attached service list, on the date above written.



An employee of
Anthony A. Zmaila Limited PLLC